



Criminal Justice Subcommittee

February 5, 2014

9:00 AM

404 HOB

Action Packet

Will Weatherford
Speaker

Matt Gaetz
Chair

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

2/5/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

Summary:

Criminal Justice Subcommittee

Wednesday February 05, 2014 09:00 am

CS/HB 47	Favorable	Yeas: 12	Nays: 0
HB 99	Favorable With Committee Substitute	Yeas: 11	Nays: 1
	Amendment 306301	Adopted Without Objection	
	Amendment 116821	Withdrawn	
HB 139	Favorable With Committee Substitute	Yeas: 12	Nays: 0
	Amendment 830249	Adopted Without Objection	
HB 409	Favorable With Committee Substitute	Yeas: 12	Nays: 0
	Amendment 167207	Adopted Without Objection	
	Amendment 226229	Adopted Without Objection	
HB 515	Favorable	Yeas: 11	Nays: 0
PCB CRJS 14-01	Favorable	Yeas: 12	Nays: 0
	Amendment PCB CRJS 14-01 a1	Withdrawn	
PCB CRJS 14-08	Favorable	Yeas: 12	Nays: 0
	Amendment PCB CRJS 14-08 a1	Withdrawn	

Committee meeting was reported out: Wednesday, February 05, 2014 2:52:11PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

2/5/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Matt Gaetz (Chair)	X		
Randolph Bracy	X		
Michael Clelland	X		
Dane Eagle	X		
James Grant	X		
Gayle Harrell			X
Charles Hood, Jr.	X		
Travis Hutson	X		
Dave Kerner	X		
Kionne McGhee	X		
Ray Pilon	X		
Irving Slosberg	X		
Charles Van Zant	X		
Totals:	12	0	1

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COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

2/5/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/HB 47 : Spiny Lobster

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant	X				
Gayle Harrell			X		
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Appearances:

CS/HB 47

Pitts, Brian (General Public) - Proponent

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: (727) 897-9291

CS/HB 47

Sansom, Jerry (Lobbyist) - Waive In Support

City of Cocoa

603 Brevard Ave

Cocoa FL 32922

Phone: (321)777-8130

Committee meeting was reported out: Wednesday, February 05, 2014 2:52:11PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

2/5/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 99 : Sentencing for Controlled Substance Violations

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant	X				
Gayle Harrell			X		
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant		X			
Matt Gaetz (Chair)	X				
Total Yeas: 11		Total Nays: 1			

HB 99 Amendments

Amendment 306301

Adopted Without Objection

Amendment 116821

Withdrawn

Appearances:

HB 99

Martinez, Carlos (State Employee) - Waive In Support
Florida Public Defenders Association
Miami FL
Phone: 305-545-1900

Hb 99

Chamizo, Jorge (Lobbyist) - Waive In Support
Florida Association of Criminal Defense Lawyers
PO Box 1528
Tallahassee FL 32302
Phone: (850)681-0024

HB 99

Newborn, Greg (General Public) - Waive In Support
Florida Project Director, Families Against Mandatory Minimums
P.O. Box 142933
Gainesville FL 32614
Phone: 352-682-2542

Committee meeting was reported out: Wednesday, February 05, 2014 2:52:11PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

2/5/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 99 : Sentencing for Controlled Substance Violations (continued)

Appearances: (continued)

HB 99

Brodsky, Deborah (State Employee) - Information Only

Director, FSU Project on Accountable Justice

Tallahassee FL 32399

Phone: 850-566-8944

HB 99

Bustle, Electra (Lobbyist) - Waive In Support

Florida Sheriffs Association

2617 Mahan Dr

Tallahassee FL 32308

Phone: 850)671-4401

HB 99

Hofheinz, Monica (Lobbyist) (State Employee) - Waive In Support

Florida Prosecuting Attorneys Association

201 SE 6th Street

Ft. Lauderdale FL 33301

Phone: 954-831-8543

Committee meeting was reported out: Wednesday, February 05, 2014 2:52:11PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

*Adopted without objection
2/5/14*

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Edwards offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (c) of subsection (1) of section
8 893.135, Florida Statutes, is amended to read:

9 893.135 Trafficking; mandatory sentences; suspension or
10 reduction of sentences; conspiracy to engage in trafficking.—

11 (1) Except as authorized in this chapter or in chapter 499
12 and notwithstanding the provisions of s. 893.13:

13 (c)1. A Any person who knowingly sells, purchases,
14 manufactures, delivers, or brings into this state, or who is
15 knowingly in actual or constructive possession of, 4 grams or
16 more of any morphine, opium, ~~oxycodone, hydrocodone,~~
17 hydromorphone, or any salt, derivative, isomer, or salt of an



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18 isomer thereof, including heroin, as described in s.
19 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or 4 grams or more
20 of any mixture containing any such substance, but less than 30
21 kilograms of such substance or mixture, commits a felony of the
22 first degree, which felony shall be known as "trafficking in
23 illegal drugs," punishable as provided in s. 775.082, s.
24 775.083, or s. 775.084. If the quantity involved:

25 a. Is 4 grams or more, but less than 14 grams, such person
26 shall be sentenced to a mandatory minimum term of imprisonment
27 of 3 years~~7~~, and ~~the defendant~~ shall be ordered to pay a fine of
28 \$50,000.

29 b. Is 14 grams or more, but less than 28 grams, such
30 person shall be sentenced to a mandatory minimum term of
31 imprisonment of 15 years~~7~~, and ~~the defendant~~ shall be ordered to
32 pay a fine of \$100,000.

33 c. Is 28 grams or more, but less than 30 kilograms, such
34 person shall be sentenced to a mandatory minimum term of
35 imprisonment of 25 ~~calendar~~ years and shall be ordered to pay a
36 fine of \$500,000.

37 2. A person who knowingly sells, purchases, manufactures,
38 delivers, or brings into this state, or who is knowingly in
39 actual or constructive possession of, 14 grams or more of
40 hydrocodone, or 14 grams or more of any mixture containing any
41 such substance, commits a felony of the first degree, which
42 felony shall be known as "trafficking in hydrocodone,"



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43 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

44 If the quantity involved:

45 a. Is 14 grams or more, but less than 28 grams, such
46 person shall be sentenced to a mandatory minimum term of
47 imprisonment of 3 years and shall be ordered to pay a fine of
48 \$50,000.

49 b. Is 28 grams or more, but less than 50 grams, such
50 person shall be sentenced to a mandatory minimum term of
51 imprisonment of 7 years and shall be ordered to pay a fine of
52 \$100,000.

53 c. Is 50 grams or more, but less than 200 grams, such
54 person shall be sentenced to a mandatory minimum term of
55 imprisonment of 15 years and shall be ordered to pay a fine of
56 \$500,000.

57 d. Is 200 grams or more, but less than 30 kilograms, such
58 person shall be sentenced to a mandatory minimum term of
59 imprisonment of 25 years and shall be ordered to pay a fine of
60 \$750,000.

61 3. A person who knowingly sells, purchases, manufactures,
62 delivers, or brings into this state, or who is knowingly in
63 actual or constructive possession of, 7 grams or more of
64 oxycodone, or 7 grams or more of any mixture containing any such
65 substance, commits a felony of the first degree, which felony
66 shall be known as "trafficking in oxycodone," punishable as
67 provided in s. 775.082, s. 775.083, or s. 775.084. If the
68 quantity involved:



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69 a. Is 7 grams or more, but less than 14 grams, such person
70 shall be sentenced to a mandatory minimum term of imprisonment
71 of 3 years and shall be ordered to pay a fine of \$50,000.

72 b. Is 14 grams or more, but less than 25 grams, such
73 person shall be sentenced to a mandatory minimum term of
74 imprisonment of 7 years and shall be ordered to pay a fine of
75 \$100,000.

76 c. Is 25 grams or more, but less than 100 grams, such
77 person shall be sentenced to a mandatory minimum term of
78 imprisonment of 15 years and shall be ordered to pay a fine of
79 \$500,000.

80 d. Is 100 grams or more, but less than 30 kilograms, such
81 person shall be sentenced to a mandatory minimum term of
82 imprisonment of 25 years and shall be ordered to pay a fine of
83 \$750,000.

84 4. A Any person who knowingly sells, purchases,
85 manufactures, delivers, or brings into this state, or who is
86 knowingly in actual or constructive possession of, 30 kilograms
87 or more of any morphine, opium, oxycodone, hydrocodone,
88 hydromorphone, or any salt, derivative, isomer, or salt of an
89 isomer thereof, including heroin, as described in s.
90 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or 30 kilograms or
91 more of any mixture containing any such substance, commits the
92 first degree felony of trafficking in illegal drugs. A person
93 who has been convicted of the first degree felony of trafficking
94 in illegal drugs under this subparagraph shall be punished by



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95 life imprisonment and is ineligible for any form of
96 discretionary early release except pardon or executive clemency
97 or conditional medical release under s. 947.149. However, if the
98 court determines that, in addition to committing any act
99 specified in this paragraph:

100 a. The person intentionally killed an individual or
101 counseled, commanded, induced, procured, or caused the
102 intentional killing of an individual and such killing was the
103 result; or

104 b. The person's conduct in committing that act led to a
105 natural, though not inevitable, lethal result,

106

107 such person commits the capital felony of trafficking in illegal
108 drugs, punishable as provided in ss. 775.082 and 921.142. A Any
109 person sentenced for a capital felony under this paragraph shall
110 also be sentenced to pay the maximum fine provided under
111 subparagraph 1.

112 ~~5.3-~~ A Any person who knowingly brings into this state 60
113 kilograms or more of any morphine, opium, oxycodone,
114 hydrocodone, hydromorphone, or any salt, derivative, isomer, or
115 salt of an isomer thereof, including heroin, as described in s.
116 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or 60 kilograms or
117 more of any mixture containing any such substance, and who knows
118 that the probable result of such importation would be the death
119 of a any person, commits capital importation of illegal drugs, a
120 capital felony punishable as provided in ss. 775.082 and



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121 921.142. A Any person sentenced for a capital felony under this
122 paragraph shall also be sentenced to pay the maximum fine
123 provided under subparagraph 1.

124 Section 2. Paragraphs (g), (h), and (i) of subsection (3)
125 of section 921.0022, Florida Statutes, are amended to read:

126 921.0022 Criminal Punishment Code; offense severity
127 ranking chart.—

128 (3) OFFENSE SEVERITY RANKING CHART

129 (g) LEVEL 7

130

Florida	Felony	Description
Statute	Degree	Description
316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with

131

132

133



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134			siren and lights activated.
	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
135			
	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
136			
	409.920 (2)(b)1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
137			
	409.920 (2)(b)1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
138			
	456.065(2)	3rd	Practicing a health care profession without a license.
139			
	456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
140			



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141	458.327(1)	3rd	Practicing medicine without a license.
142	459.013(1)	3rd	Practicing osteopathic medicine without a license.
143	460.411(1)	3rd	Practicing chiropractic medicine without a license.
144	461.012(1)	3rd	Practicing podiatric medicine without a license.
145	462.17	3rd	Practicing naturopathy without a license.
146	463.015(1)	3rd	Practicing optometry without a license.
147	464.016(1)	3rd	Practicing nursing without a license.
148	465.015(2)	3rd	Practicing pharmacy without a license.
	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.



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149	467.201	3rd	Practicing midwifery without a license.
150	468.366	3rd	Delivering respiratory care services without a license.
151	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
152	483.901(9)	3rd	Practicing medical physics without a license.
153	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
154	484.053	3rd	Dispensing hearing aids without a license.
155	494.0018(2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.



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156

560.123(8)(b)1. 3rd Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.

157

560.125(5)(a) 3rd Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

158

655.50(10)(b)1. 3rd Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

159

775.21(10)(a) 3rd Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.

160

775.21(10)(b) 3rd Sexual predator working where children regularly congregate.

161



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162	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
163	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
164	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
165	782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).



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166

784.045(1)(a)1. 2nd Aggravated battery;
intentionally causing great
bodily harm or disfigurement.

167

784.045(1)(a)2. 2nd Aggravated battery; using
deadly weapon.

168

784.045(1)(b) 2nd Aggravated battery; perpetrator
aware victim pregnant.

169

784.048(4) 3rd Aggravated stalking; violation
of injunction or court order.

170

784.048(7) 3rd Aggravated stalking; violation
of court order.

171

784.07(2)(d) 1st Aggravated battery on law
enforcement officer.

172

784.074(1)(a) 1st Aggravated battery on sexually
violent predators facility
staff.

173

784.08(2)(a) 1st Aggravated battery on a person
65 years of age or older.



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174
784.081(1) 1st Aggravated battery on specified
official or employee.

175
784.082(1) 1st Aggravated battery by detained
person on visitor or other
detainee.

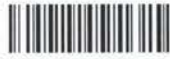
176
784.083(1) 1st Aggravated battery on code
inspector.

177
787.06(3)(a) 1st Human trafficking using
coercion for labor and
services.

178
787.06(3)(e) 1st Human trafficking using
coercion for labor and services
by the transfer or transport of
any individual from outside
Florida to within the state.

179
790.07(4) 1st Specified weapons violation
subsequent to previous
conviction of s. 790.07(1) or
(2).

180



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181 790.16(1) 1st Discharge of a machine gun
under specified circumstances.

182 790.165(2) 2nd Manufacture, sell, possess, or
deliver hoax bomb.

183 790.165(3) 2nd Possessing, displaying, or
threatening to use any hoax
bomb while committing or
attempting to commit a felony.

184 790.166(3) 2nd Possessing, selling, using, or
attempting to use a hoax weapon
of mass destruction.

185 790.166(4) 2nd Possessing, displaying, or
threatening to use a hoax
weapon of mass destruction
while committing or attempting
to commit a felony.

186 790.23 1st,PBL Possession of a firearm by a
person who qualifies for the
penalty enhancements provided
for in s. 874.04.



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187	794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
188	796.03	2nd	Procuring any person under 16 years for prostitution.
189	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
190	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
191	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
192	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
	810.02 (3) (b)	2nd	Burglary of unoccupied



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193			dwelling; unarmed; no assault or battery.
194	810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
195	810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
196	812.014(2)(a)1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
197	812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
198	812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.



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199	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
200	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
201	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
202	812.131 (2) (a)	2nd	Robbery by sudden snatching.
203	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
204	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
205	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
	817.234 (9)	2nd	Organizing, planning, or participating in an intentional



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206 motor vehicle collision.

207 817.234(11)(c) 1st Insurance fraud; property value
\$100,000 or more.

208 817.2341 1st Making false entries of
(2)(b) & material fact or false
(3)(b) statements regarding property
values relating to the solvency
of an insuring entity which are
a significant cause of the
insolvency of that entity.

209 817.535(2)(a) 3rd Filing false lien or other
unauthorized document.

210 825.102(3)(b) 2nd Neglecting an elderly person or
disabled adult causing great
bodily harm, disability, or
disfigurement.

211 825.103(2)(b) 2nd Exploiting an elderly person or
disabled adult and property is
valued at \$20,000 or more, but
less than \$100,000.



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212	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
213	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
214	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
215	838.015	2nd	Bribery.
216	838.016	2nd	Unlawful compensation or reward for official behavior.
217	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
218	838.22	2nd	Bid tampering.
219	843.0855 (2)	3rd	Impersonation of a public officer or employee.
	843.0855 (3)	3rd	Unlawful simulation of legal



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220			process.
843.0855 (4)	3rd		Intimidation of a public officer or employee.
221			
847.0135 (3)	3rd		Solicitation of a child, via a computer service, to commit an unlawful sex act.
222			
847.0135 (4)	2nd		Traveling to meet a minor to commit an unlawful sex act.
223			
872.06	2nd		Abuse of a dead human body.
224			
874.05 (2) (b)	1st		Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
225			
874.10	1st, PBL		Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
226			
893.13 (1) (c) 1.	1st		Sell, manufacture, or deliver cocaine (or other drug



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prohibited under s.
893.03(1)(a), (1)(b), (1)(d),
(2)(a), (2)(b), or (2)(c)4.)
within 1,000 feet of a child
care facility, school, or
state, county, or municipal
park or publicly owned
recreational facility or
community center.

227

893.13(1)(e)1. 1st Sell, manufacture, or deliver
cocaine or other drug
prohibited under s.
893.03(1)(a), (1)(b), (1)(d),
(2)(a), (2)(b), or (2)(c)4.,
within 1,000 feet of property
used for religious services or
a specified business site.

228

893.13(4)(a) 1st Deliver to minor cocaine (or
other s. 893.03(1)(a), (1)(b),
(1)(d), (2)(a), (2)(b), or
(2)(c)4. drugs).

229

893.135(1)(a)1. 1st Trafficking in cannabis, more
than 25 lbs., less than 2,000



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lbs.

230

893.135 (1) (b) 1.a. 1st Trafficking in cocaine, more than 28 grams, less than 200 grams.

231

893.135 (1) (c) 1.a. 1st Trafficking in illegal drugs, more than 4 grams, less than 14 grams.

893.135(1)(c)2.a. 1st Trafficking in hydrocodone, 14 grams or more, less than 28 grams.

893.135(1)(c)2.b. 1st Trafficking in hydrocodone, 28 grams or more, less than 50 grams.

893.135(1)(c)3.a. 1st Trafficking in oxycodone, 7 grams or more, less than 14 grams.

893.135(1)(c)3.b. 1st Trafficking in oxycodone, 14 grams or more, less than 25 grams.

232



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233

234

893.135(1)(d)1. 1st Trafficking in phencyclidine,
more than 28 grams, less than
200 grams.

235

893.135(1)(e)1. 1st Trafficking in methaqualone,
more than 200 grams, less than
5 kilograms.

236

893.135(1)(f)1. 1st Trafficking in amphetamine,
more than 14 grams, less than
28 grams.

237

893.135 1st Trafficking in flunitrazepam, 4
(1)(g)1.a. grams or more, less than 14
grams.

238

893.135 1st Trafficking in gamma-
(1)(h)1.a. hydroxybutyric acid (GHB), 1
kilogram or more, less than 5
kilograms.

239

893.135 1st Trafficking in 1,4-Butanediol,
(1)(j)1.a. 1 kilogram or more, less than 5



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240			kilograms.
893.135	1st	Trafficking in Phenethylamines,	
(1)(k)2.a.		10 grams or more, less than 200	
		grams.	
241			
893.1351(2)	2nd	Possession of place for	
		trafficking in or manufacturing	
		of controlled substance.	
242			
896.101(5)(a)	3rd	Money laundering, financial	
		transactions exceeding \$300 but	
		less than \$20,000.	
243			
896.104(4)(a)1.	3rd	Structuring transactions to	
		evade reporting or registration	
		requirements, financial	
		transactions exceeding \$300 but	
		less than \$20,000.	
244			
943.0435(4)(c)	2nd	Sexual offender vacating	
		permanent residence; failure to	
		comply with reporting	
		requirements.	
245			
943.0435(8)	2nd	Sexual offender; remains in	

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246			state after indicating intent to leave; failure to comply with reporting requirements.
	943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.
247			
	943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
248			
	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
249			
	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
250			
	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
251			



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252 944.607(12) 3rd Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

253 944.607(13) 3rd Sexual offender; failure to
report and reregister; failure
to respond to address
verification.

254 985.4815(10) 3rd Sexual offender; failure to
submit to the taking of a
digitized photograph.

255 985.4815(12) 3rd Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

256 985.4815(13) 3rd Sexual offender; failure to
report and reregister; failure
to respond to address
verification.

257 (h) LEVEL 8

258



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Florida Statute	Felony Degree	Description
259 316.193 (3)(c)3.a.	2nd	DUI manslaughter.
260 316.1935(4)(b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
261 327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
262 499.0051(7)	1st	Knowing trafficking in contraband prescription drugs.
263 499.0051(8)	1st	Knowing forgery of prescription labels or prescription drug labels.
264 560.123(8)(b)2.	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.
265 560.125(5)(b)	2nd	Money transmitter business by



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266			unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.
267	655.50(10)(b)2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
268	777.03(2)(a)	1st	Accessory after the fact, capital felony.
269	782.04(4)	2nd	Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.
	782.051(2)	1st	Attempted felony murder while perpetrating or attempting to



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270			perpetrate a felony not enumerated in s. 782.04(3).
271	782.071(1)(b)	1st	Committing vehicular homicide and failing to render aid or give information.
272	782.072(2)	1st	Committing vessel homicide and failing to render aid or give information.
273	787.06(3)(b)	1st	Human trafficking using coercion for commercial sexual activity.
274	787.06(3)(c)	1st	Human trafficking using coercion for labor and services of an unauthorized alien.
275	787.06(3)(f)	1st	Human trafficking using coercion for commercial sexual activity by the transfer or transport of any individual from outside Florida to within the state.



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276 790.161(3) 1st Discharging a destructive
device which results in bodily
harm or property damage.

277 794.011(5) 2nd Sexual battery, victim 12 years
or over, offender does not use
physical force likely to cause
serious injury.

278 794.08(3) 2nd Female genital mutilation,
removal of a victim younger
than 18 years of age from this
state.

279 800.04(4) 2nd Lewd or lascivious battery.

280 806.01(1) 1st Maliciously damage dwelling or
structure by fire or explosive,
believing person in structure.

281 810.02(2)(a) 1st,PBL Burglary with assault or
battery.

282 810.02(2)(b) 1st,PBL Burglary; armed with explosives
or dangerous weapon.



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283	810.02(2)(c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
284	812.014(2)(a)2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
285	812.13(2)(b)	1st	Robbery with a weapon.
286	812.135(2)(c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
287	817.535(2)(b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
288	817.535(3)(a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.
	817.535(4)(a)1.	2nd	Filing false lien or other unauthorized document;



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289			defendant is incarcerated or under supervision.
	817.535 (5) (a)	2nd	Filing false lien or other unauthorized document; owner of the property incurs financial loss as a result of the false instrument.
290			
	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
291			
	825.102 (2)	1st	Aggravated abuse of an elderly person or disabled adult.
292			
	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
293			
	825.103 (2) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.
294			
	837.02 (2)	2nd	Perjury in official proceedings



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295			relating to prosecution of a capital felony.
837.021(2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.	
296			
860.121(2)(c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.	
297			
860.16	1st	Aircraft piracy.	
298			
893.13(1)(b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).	
299			
893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).	
300			
893.13(6)(c)	1st	Possess in excess of 10 grams of any substance specified in	



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s. 893.03(1)(a) or (b).

301

893.135(1)(a)2. 1st Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.

302

893.135 1st Trafficking in cocaine, more than 200 grams, less than 400 grams.
(1)(b)1.b.

303

893.135 1st Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
(1)(c)1.b.

893.135(1)(c)2.c. 1st Trafficking in hydrocodone, 50 grams or more, less than 200 grams.

893.135(1)(c)3.c. 1st Trafficking in oxycodone, 25 grams or more, less than 100 grams.

304

893.135 1st Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
(1)(d)1.b.

305

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306	893.135 (1)(e)1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
307	893.135 (1)(f)1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
308	893.135 (1)(g)1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
309	893.135 (1)(h)1.b.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
310	893.135 (1)(j)1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
311	893.135 (1)(k)2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
	893.1351(3)	1st	Possession of a place used to

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			manufacture controlled substance when minor is present or resides there.
312	895.03 (1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
313	895.03 (2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
314	895.03 (3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
315	896.101 (5) (b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
316	896.104 (4) (a) 2.	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or



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exceeding \$20,000 but less than
\$100,000.

317

318 (i) LEVEL 9

319

Florida

Felony

Statute

Degree

Description

320

316.193

1st

DUI manslaughter; failing to
render aid or give information.

(3) (c) 3.b.

321

327.35 (3) (c) 3.b.

1st

BUI manslaughter; failing to
render aid or give information.

322

409.920

1st

Medicaid provider fraud;
\$50,000 or more.

(2) (b) 1.c.

323

499.0051 (9)

1st

Knowing sale or purchase of
contraband prescription drugs
resulting in great bodily harm.

324

560.123 (8) (b) 3.

1st

Failure to report currency or
payment instruments totaling or
exceeding \$100,000 by money
transmitter.

325



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326 560.125(5)(c) 1st Money transmitter business by
unauthorized person, currency,
or payment instruments totaling
or exceeding \$100,000.

327 655.50(10)(b)3. 1st Failure to report financial
transactions totaling or
exceeding \$100,000 by financial
institution.

328 775.0844 1st Aggravated white collar crime.

329 782.04(1) 1st Attempt, conspire, or solicit
to commit premeditated murder.

330 782.04(3) 1st,PBL Accomplice to murder in
connection with arson, sexual
battery, robbery, burglary,
aggravated fleeing or eluding
with serious bodily injury or
death, and other specified
felonies.

782.051(1) 1st Attempted felony murder while
perpetrating or attempting to
perpetrate a felony enumerated



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in s. 782.04(3).

331

782.07(2) 1st Aggravated manslaughter of an elderly person or disabled adult.

332

787.01(1)(a)1. 1st,PBL Kidnapping; hold for ransom or reward or as a shield or hostage.

333

787.01(1)(a)2. 1st,PBL Kidnapping with intent to commit or facilitate commission of any felony.

334

787.01(1)(a)4. 1st,PBL Kidnapping with intent to interfere with performance of any governmental or political function.

335

787.02(3)(a) 1st False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.



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336

787.06(3)(d) 1st Human trafficking using coercion for commercial sexual activity of an unauthorized alien.

337

787.06(3)(g) 1st,PBL Human trafficking for commercial sexual activity of a child under the age of 18.

338

787.06(4) 1st Selling or buying of minors into human trafficking.

339

790.161 1st Attempted capital destructive device offense.

340

790.166(2) 1st,PBL Possessing, selling, using, or attempting to use a weapon of mass destruction.

341

794.011(2) 1st Attempted sexual battery; victim less than 12 years of age.

342

794.011(2) Life Sexual battery; offender younger than 18 years and



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343			commits sexual battery on a person less than 12 years.
794.011(4)	1st		Sexual battery; victim 12 years or older, certain circumstances.
344			
794.011(8)(b)	1st		Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
345			
794.08(2)	1st		Female genital mutilation; victim younger than 18 years of age.
346			
796.035	1st		Selling or buying of minors into prostitution.
347			
800.04(5)(b)	Life		Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
348			
812.13(2)(a)	1st, PBL		Robbery with firearm or other deadly weapon.
349			



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350 812.133(2)(a) 1st,PBL Carjacking; firearm or other
deadly weapon.

351 812.135(2)(b) 1st Home-invasion robbery with
weapon.

352 817.535(3)(b) 1st Filing false lien or other
unauthorized document; second
or subsequent offense; property
owner is a public officer or
employee.

353 817.535(4)(a)2. 1st Filing false claim or other
unauthorized document;
defendant is incarcerated or
under supervision.

354 817.535(5)(b) 1st Filing false lien or other
unauthorized document; second
or subsequent offense; owner of
the property incurs financial
loss as a result of the false
instrument.

817.568(7) 2nd, Fraudulent use of personal
PBL identification information of



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an individual under the age of
18 by his or her parent, legal
guardian, or person exercising
custodial authority.

355

827.03 (2) (a) 1st Aggravated child abuse.

356

847.0145 (1) 1st Selling, or otherwise
transferring custody or
control, of a minor.

357

847.0145 (2) 1st Purchasing, or otherwise
obtaining custody or control,
of a minor.

358

859.01 1st Poisoning or introducing
bacteria, radioactive
materials, viruses, or chemical
compounds into food, drink,
medicine, or water with intent
to kill or injure another
person.

359

893.135 1st Attempted capital trafficking
offense.

360

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361 893.135(1)(a)3. 1st Trafficking in cannabis, more
than 10,000 lbs.

362 893.135 1st Trafficking in cocaine, more
(1)(b)1.c. than 400 grams, less than 150
kilograms.

893.135 1st Trafficking in illegal drugs,
(1)(c)1.c. more than 28 grams, less than
30 kilograms.

893.135(1)(c)2.d. 1st Trafficking in hydrocodone, 200
grams or more, less than 30
kilograms.

893.135(1)(c)3.d. 1st Trafficking in oxycodone, 100
grams or more, less than 30
kilograms.

363 893.135 1st Trafficking in phencyclidine,
(1)(d)1.c. more than 400 grams.

364 893.135 1st Trafficking in methaqualone,
(1)(e)1.c. more than 25 kilograms.

365

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366	893.135 (1)(f)1.c.	1st	Trafficking in amphetamine, more than 200 grams.
367	893.135 (1)(h)1.c.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 10 kilograms or more.
368	893.135 (1)(j)1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
369	893.135 (1)(k)2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
370	896.101(5)(c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
371	896.104(4)(a)3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.

372
373 Section 3. For the purpose of incorporating the amendment
374 made by this act to section 893.135, Florida Statutes, in a



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375 reference thereto, paragraph (a) of subsection (2) and paragraph
376 (a) of subsection (3) of section 775.087, Florida Statutes, is
377 reenacted to read:

378 775.087 Possession or use of weapon; aggravated battery;
379 felony reclassification; minimum sentence.-

380 (2)(a)1. Any person who is convicted of a felony or an
381 attempt to commit a felony, regardless of whether the use of a
382 weapon is an element of the felony, and the conviction was for:

- 383 a. Murder;
- 384 b. Sexual battery;
- 385 c. Robbery;
- 386 d. Burglary;
- 387 e. Arson;
- 388 f. Aggravated assault;
- 389 g. Aggravated battery;
- 390 h. Kidnapping;
- 391 i. Escape;
- 392 j. Aircraft piracy;
- 393 k. Aggravated child abuse;
- 394 l. Aggravated abuse of an elderly person or disabled
395 adult;
- 396 m. Unlawful throwing, placing, or discharging of a
397 destructive device or bomb;
- 398 n. Carjacking;
- 399 o. Home-invasion robbery;
- 400 p. Aggravated stalking;

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401 q. Trafficking in cannabis, trafficking in cocaine,
402 capital importation of cocaine, trafficking in illegal drugs,
403 capital importation of illegal drugs, trafficking in
404 phencyclidine, capital importation of phencyclidine, trafficking
405 in methaqualone, capital importation of methaqualone,
406 trafficking in amphetamine, capital importation of amphetamine,
407 trafficking in flunitrazepam, trafficking in gamma-
408 hydroxybutyric acid (GHB), trafficking in 1,4-Butanediol,
409 trafficking in Phenethylamines, or other violation of s.
410 893.135(1); or

411 r. Possession of a firearm by a felon

412
413 and during the commission of the offense, such person actually
414 possessed a "firearm" or "destructive device" as those terms are
415 defined in s. 790.001, shall be sentenced to a minimum term of
416 imprisonment of 10 years, except that a person who is convicted
417 for aggravated assault, possession of a firearm by a felon, or
418 burglary of a conveyance shall be sentenced to a minimum term of
419 imprisonment of 3 years if such person possessed a "firearm" or
420 "destructive device" during the commission of the offense.
421 However, if an offender who is convicted of the offense of
422 possession of a firearm by a felon has a previous conviction of
423 committing or attempting to commit a felony listed in s.
424 775.084(1)(b)1. and actually possessed a firearm or destructive
425 device during the commission of the prior felony, the offender



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426 shall be sentenced to a minimum term of imprisonment of 10
427 years.

428 2. Any person who is convicted of a felony or an attempt
429 to commit a felony listed in sub-subparagraphs (a)1.a.-q.,
430 regardless of whether the use of a weapon is an element of the
431 felony, and during the course of the commission of the felony
432 such person discharged a "firearm" or "destructive device" as
433 defined in s. 790.001 shall be sentenced to a minimum term of
434 imprisonment of 20 years.

435 3. Any person who is convicted of a felony or an attempt
436 to commit a felony listed in sub-subparagraphs (a)1.a.-q.,
437 regardless of whether the use of a weapon is an element of the
438 felony, and during the course of the commission of the felony
439 such person discharged a "firearm" or "destructive device" as
440 defined in s. 790.001 and, as the result of the discharge, death
441 or great bodily harm was inflicted upon any person, the
442 convicted person shall be sentenced to a minimum term of
443 imprisonment of not less than 25 years and not more than a term
444 of imprisonment of life in prison.

445 (3)(a)1. Any person who is convicted of a felony or an
446 attempt to commit a felony, regardless of whether the use of a
447 firearm is an element of the felony, and the conviction was for:

- 448 a. Murder;
- 449 b. Sexual battery;
- 450 c. Robbery;
- 451 d. Burglary;



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- 452 e. Arson;
- 453 f. Aggravated assault;
- 454 g. Aggravated battery;
- 455 h. Kidnapping;
- 456 i. Escape;
- 457 j. Sale, manufacture, delivery, or intent to sell,
458 manufacture, or deliver any controlled substance;
- 459 k. Aircraft piracy;
- 460 l. Aggravated child abuse;
- 461 m. Aggravated abuse of an elderly person or disabled
462 adult;
- 463 n. Unlawful throwing, placing, or discharging of a
464 destructive device or bomb;
- 465 o. Carjacking;
- 466 p. Home-invasion robbery;
- 467 q. Aggravated stalking; or
- 468 r. Trafficking in cannabis, trafficking in cocaine,
469 capital importation of cocaine, trafficking in illegal drugs,
470 capital importation of illegal drugs, trafficking in
471 phencyclidine, capital importation of phencyclidine, trafficking
472 in methaqualone, capital importation of methaqualone,
473 trafficking in amphetamine, capital importation of amphetamine,
474 trafficking in flunitrazepam, trafficking in gamma-
475 hydroxybutyric acid (GHB), trafficking in 1,4-Butanediol,
476 trafficking in Phenethylamines, or other violation of s.
477 893.135(1);



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478

479 and during the commission of the offense, such person possessed
480 a semiautomatic firearm and its high-capacity detachable box
481 magazine or a machine gun as defined in s. 790.001, shall be
482 sentenced to a minimum term of imprisonment of 15 years.

483 2. Any person who is convicted of a felony or an attempt
484 to commit a felony listed in subparagraph (a)1., regardless of
485 whether the use of a weapon is an element of the felony, and
486 during the course of the commission of the felony such person
487 discharged a semiautomatic firearm and its high-capacity box
488 magazine or a "machine gun" as defined in s. 790.001 shall be
489 sentenced to a minimum term of imprisonment of 20 years.

490 3. Any person who is convicted of a felony or an attempt
491 to commit a felony listed in subparagraph (a)1., regardless of
492 whether the use of a weapon is an element of the felony, and
493 during the course of the commission of the felony such person
494 discharged a semiautomatic firearm and its high-capacity box
495 magazine or a "machine gun" as defined in s. 790.001 and, as the
496 result of the discharge, death or great bodily harm was
497 inflicted upon any person, the convicted person shall be
498 sentenced to a minimum term of imprisonment of not less than 25
499 years and not more than a term of imprisonment of life in
500 prison.

501 Section 4. For the purpose of incorporating the amendment
502 made by this act to section 893.135, Florida Statutes, in a
503 reference thereto, paragraph (a) of subsection (1) and



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504 subsections (3) and (4) of section 782.04, Florida Statutes, are
505 reenacted to read:

506 782.04 Murder.—

507 (1)(a) The unlawful killing of a human being:

508 1. When perpetrated from a premeditated design to effect
509 the death of the person killed or any human being;

510 2. When committed by a person engaged in the perpetration
511 of, or in the attempt to perpetrate, any:

512 a. Trafficking offense prohibited by s. 893.135(1),

513 b. Arson,

514 c. Sexual battery,

515 d. Robbery,

516 e. Burglary,

517 f. Kidnapping,

518 g. Escape,

519 h. Aggravated child abuse,

520 i. Aggravated abuse of an elderly person or disabled
521 adult,

522 j. Aircraft piracy,

523 k. Unlawful throwing, placing, or discharging of a
524 destructive device or bomb,

525 l. Carjacking,

526 m. Home-invasion robbery,

527 n. Aggravated stalking,

528 o. Murder of another human being,



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529 p. Resisting an officer with violence to his or her
530 person,

531 q. Aggravated fleeing or eluding with serious bodily
532 injury or death,

533 r. Felony that is an act of terrorism or is in furtherance
534 of an act of terrorism; or

535 3. Which resulted from the unlawful distribution of any
536 substance controlled under s. 893.03(1), cocaine as described in
537 s. 893.03(2)(a)4., opium or any synthetic or natural salt,
538 compound, derivative, or preparation of opium, or methadone by a
539 person 18 years of age or older, when such drug is proven to be
540 the proximate cause of the death of the user,

541
542 is murder in the first degree and constitutes a capital felony,
543 punishable as provided in s. 775.082.

544 (3) When a human being is killed during the perpetration
545 of, or during the attempt to perpetrate, any:

546 (a) Trafficking offense prohibited by s. 893.135(1),

547 (b) Arson,

548 (c) Sexual battery,

549 (d) Robbery,

550 (e) Burglary,

551 (f) Kidnapping,

552 (g) Escape,

553 (h) Aggravated child abuse,



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- 554 (i) Aggravated abuse of an elderly person or disabled
555 adult,
- 556 (j) Aircraft piracy,
- 557 (k) Unlawful throwing, placing, or discharging of a
558 destructive device or bomb,
- 559 (l) Carjacking,
- 560 (m) Home-invasion robbery,
- 561 (n) Aggravated stalking,
- 562 (o) Murder of another human being,
- 563 (p) Aggravated fleeing or eluding with serious bodily
564 injury or death,
- 565 (q) Resisting an officer with violence to his or her
566 person, or
- 567 (r) Felony that is an act of terrorism or is in
568 furtherance of an act of terrorism,
569
- 570 by a person other than the person engaged in the perpetration of
571 or in the attempt to perpetrate such felony, the person
572 perpetrating or attempting to perpetrate such felony commits
573 murder in the second degree, which constitutes a felony of the
574 first degree, punishable by imprisonment for a term of years not
575 exceeding life or as provided in s. 775.082, s. 775.083, or s.
576 775.084.
- 577 (4) The unlawful killing of a human being, when
578 perpetrated without any design to effect death, by a person



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579 engaged in the perpetration of, or in the attempt to perpetrate,
580 any felony other than any:

- 581 (a) Trafficking offense prohibited by s. 893.135(1),
- 582 (b) Arson,
- 583 (c) Sexual battery,
- 584 (d) Robbery,
- 585 (e) Burglary,
- 586 (f) Kidnapping,
- 587 (g) Escape,
- 588 (h) Aggravated child abuse,
- 589 (i) Aggravated abuse of an elderly person or disabled
590 adult,
- 591 (j) Aircraft piracy,
- 592 (k) Unlawful throwing, placing, or discharging of a
593 destructive device or bomb,
- 594 (l) Unlawful distribution of any substance controlled
595 under s. 893.03(1), cocaine as described in s. 893.03(2)(a)4.,
596 or opium or any synthetic or natural salt, compound, derivative,
597 or preparation of opium by a person 18 years of age or older,
598 when such drug is proven to be the proximate cause of the death
599 of the user,
- 600 (m) Carjacking,
- 601 (n) Home-invasion robbery,
- 602 (o) Aggravated stalking,
- 603 (p) Murder of another human being,



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604 (q) Aggravated fleeing or eluding with serious bodily
605 injury or death,

606 (r) Resisting an officer with violence to his or her
607 person, or

608 (s) Felony that is an act of terrorism or is in
609 furtherance of an act of terrorism,

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611 is murder in the third degree and constitutes a felony of the
612 second degree, punishable as provided in s. 775.082, s. 775.083,
613 or s. 775.084.

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T I T L E A M E N D M E N T

618

Remove everything before the enacting clause and insert:

619

An act relating to controlled substances; amending s. 893.135,

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F.S.; providing that a person who knowingly sells, purchases,

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manufactures, delivers, or brings into this state specified

622

quantities of hydrocodone or oxycodone, or who is knowingly in

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actual or constructive possession of specified quantities of

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hydrocodone or oxycodone, commits the offense of "trafficking in

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hydrocodone," or "trafficking in oxycodone," respectively;

626

providing criminal penalties; amending s. 921.0022, F.S.;

627

ranking the offenses of trafficking in hydrocodone and

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trafficking in oxycodone for purposes of the criminal punishment

629

code; reenacting s. 775.087(2)(a) and (3)(a), F.S., relating to



Amendment No. 1

630 mandatory minimum sentences for the possession or use of a
631 weapon during the commission of certain offenses, to incorporate
632 the amendments made to s. 893.135, F.S., in a reference thereto;
633 reenacting s. 782.04(1)(a), (3) and (4), F.S., relating to the
634 classification of a murder committed during the commission of
635 certain offenses, to incorporate the amendments made to s.
636 893.135, F.S., in a reference thereto; providing an effective
637 date.



Amendment No. 1a

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

*Withdrawn
2/5/14*

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Hood offered the following:

4
5 **Amendment to Amendment (306301) by Representative Edwards**
6 **(with title amendment)**

7 Between lines 123 and 124 of the amendment, insert:

8 Section 2. Section 893.1352, Florida Statutes, is created
9 to read:

10 893.1352 Affirmative Defenses.— It is an affirmative
11 defense to a prosecution under s. 893.13(1), (2), (3), (4), (5),
12 (6), (7)1., (7)4., (7)5., (7)8.; s. 893.135(1)(a); s. 893.1351;
13 s. 893.147; and s. 893.149 that:

14 (1) The offense involved a plant of the genus Cannabis that
15 contains .5 percent or less of tetrahydrocannabinol and more
16 than 15 percent of cannabidiol; the seeds thereof; the resin
17 extracted from any part of such plant; or any compound,



Amendment No. 1a

18 manufacture, salt, derivative, mixture, or preparation of such
19 plant or its seeds or resin;

20 (2) The person committing the offense intended that the
21 Cannabis described in subsection (1) be consumed by a person in
22 a non-smoking manner; and

23 (3) The person committing the offense intended that the
24 Cannabis described in subsection (1) be consumed by a person at
25 the direction of a physician licensed pursuant to chapter 458.

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T I T L E A M E N D M E N T

Remove line 626 of the amendment and insert:
providing criminal penalties; creating s. 893.1352, F.S.;
creating an affirmative defense for specified controlled
substance offenses; amending s. 921.0022, F.S.;

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

2/5/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 139 : Volunteers for Organized Youth Sports and Recreational Programs

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant	X				
Gayle Harrell			X		
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 12		Total Nays: 0			

HB 139 Amendments

Amendment 830249

Adopted Without Objection

Appearances:

HB 139

Pitts, Brian (General Public) - Waive In Support

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: (727) 897-9291



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

*Adopted without objection
2/5/14*

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Jones, S. offered the following:

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Amendment (with title amendment)

Remove everything after the enacting clause and insert:
Section 1. Subsection (1) and paragraphs (a), (b), (c),
and (d) of subsection (2) of section 943.0438, Florida Statutes,
are amended to read:

943.0438 Athletic coaches for independent sanctioning
authorities.—

(1) As used in this section, the term:

(a) "Athletic coach" means a person who:

1. Is authorized by an independent sanctioning authority
to work as a coach, assistant coach, or referee for 20 or more
hours within a calendar year, whether for compensation or as a
volunteer, for a youth athletic team based in this state; and



Amendment No. 1

18 2. Has direct contact with one or more minors on the youth
19 athletic team.

20 (b) "Independent sanctioning authority" means a private,
21 nongovernmental entity that organizes, operates, or coordinates
22 a youth athletic team in this state if the team includes one or
23 more minors and is not affiliated with a private school as
24 defined in s. 1002.01.

25 (2) An independent sanctioning authority shall:

26 (a)1. Conduct a Level 1 background screening pursuant to
27 s. 435.03 of each current and prospective athletic coach. The
28 authority may not delegate this responsibility to an individual
29 team or program and may not authorize any ~~No person shall be~~
30 ~~authorized by the independent sanctioning authority~~ to act as an
31 athletic coach unless a Level 1 background screening is ~~has been~~
32 ~~conducted and does did~~ not result in disqualification under
33 paragraph (b). Level 1 background screenings shall be conducted
34 annually for each athletic coach. For purposes of this section,
35 a background screening shall include ~~be conducted with~~ a search
36 of the athletic coach's name or other identifying information
37 against state and federal registries of sexual predators and
38 sexual offenders, which are available to the public on Internet
39 sites provided by:

40 a. The Department of Law Enforcement under s. 943.043; and

41 b. The Attorney General of the United States under 42
42 U.S.C. s. 16920.



Amendment No. 1

43 2. For purposes of this section, a background screening
44 conducted by a commercial consumer reporting agency in
45 compliance with the federal Fair Credit Reporting Act using the
46 identifying information referenced in subparagraph 1. ~~and that~~
47 includes a Level 1 background screening and a search of
48 ~~searching~~ that information against the sexual predator and
49 sexual offender Internet sites listed in sub-subparagraphs 1.a.
50 and b. shall be deemed to satisfy in compliance with the
51 requirements of this paragraph section.

52 (b) Disqualify any person from acting as an athletic coach
53 as provided in s. 435.03 or if he or she is identified on a
54 registry described in paragraph (a). The authority may allow a
55 person disqualified under this paragraph to act as an athletic
56 coach if it determines that the person meets the requirements
57 for an exemption from disqualification under s. 435.07.

58 (c) Provide, within 7 business days following the
59 background screening under paragraph (a), written notice to a
60 person disqualified under this section advising the person of
61 the results and of his or her disqualification.

62 (d) Maintain for at least 5 years documentation of:

63 1. The results for each person screened under paragraph
64 (a); and

65 2. The written notice of disqualification provided to each
66 person under paragraph (c).

67 Section 2. This act shall take effect July 1, 2014.

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Amendment No. 1

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T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:

An act relating to athletic coaches for youth athletic teams; amending s. 943.0438, F.S.; revising the definition of "athletic coach"; expanding provisions relating to athletic coaches for independent sanctioning authorities to require such sanctioning authorities to conduct specified background screening of certain athletic coaches of youth athletic teams; providing that the duty may not be delegated; providing for disqualification; providing for exemption from disqualification; requiring that specified documentation be maintained for a specified period by such sanctioning authorities; providing an effective date.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

2/5/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 409 : Offenses Against Vulnerable Persons

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant	X				
Gayle Harrell			X		
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 12		Total Nays: 0			

HB 409 Amendments

Amendment 167207

Adopted Without Objection

Amendment 226229

Adopted Without Objection

Appearances:

HB 409

McRay, Jack (Lobbyist) - Waive In Support

AARP

200 W. College Avenue, Ste. 304

Tallahassee FL 32301

Phone: (850) 577-5163

HB 409

Sherman, Jr., Richard A. (State Employee) - Waive In Support

Assistant State Attorney

201 SE 6th Street, #660B

Ft. Lauderdale FL

Phone: 954-831-7212

Anderson, Robert (State Employee) - Waive In Support

State Director, Adult Protective Services, DCF

1317 Wine Wood Blvd.

Tallahassee FL 32399

Phone: 850-488-2881

Committee meeting was reported out: Wednesday, February 05, 2014 2:52:11PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

2/5/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 409 : Offenses Against Vulnerable Persons (continued)

Appearances: (continued)

HB 409

Moody, Laura (State Employee) - Waive In Support

Div. ChiefElder Services Unit

2725 Judge Fran Jamieson Way, D

Viera FL 32940

Phone: 321-617-7510

Committee meeting was reported out: Wednesday, February 05, 2014 2:52:11PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

AWO 2/5/14

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Passidomo offered the following:

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5 **Amendment (with title amendment)**

6 Remove lines 126-181 and insert:

7 sale, or transfer of property. An unauthorized appropriation
8 under this paragraph occurs when the elderly person or disabled
9 adult does not receive the reasonably equivalent financial value
10 in goods or services, or when the fiduciary violates any of
11 these duties:

12 1. For agents appointed under chapter 709:

13 a. Committing fraud in obtaining their appointments;

14 b. Abusing their powers;

15 c. Wasting, embezzling, or intentionally mismanaging the

16 assets of the ward or beneficiary of the trust; or



Amendment No. 1

17 d. Acting contrary to the principal's sole benefit or best
18 interest.

19 2. For guardians and trustees appointed under chapter 736
20 or chapter 744:

21 a. Committing fraud in obtaining their appointments;

22 b. Abusing their powers; or

23 c. Wasting, embezzling, or intentionally mismanaging the
24 assets of the ward or beneficiary of the trust.

25 (d) Misappropriating, misusing, or transferring without
26 authorization money belonging to an elderly person or disabled
27 adult from an account in which the elderly person or disabled
28 adult placed the funds, owned the funds, and was the sole
29 contributor or payee of the funds before the misappropriation,
30 misuse, or unauthorized transfer. This paragraph only applies
31 to the following types of accounts:

32 1. Personal accounts;

33 2. Joint accounts created with the intent that only the
34 elderly person or disabled adult enjoys all rights, interests,
35 and claims to moneys deposited into such account; or

36 3. Convenience accounts created in accordance with s.
37 655.80.

38 (e) Intentionally or negligently failing to effectively
39 use an elderly person's or disabled adult's income and assets
40 for the necessities required for that person's support and
41 maintenance, by a caregiver or a person who stands in a position



Amendment No. 1

42 of trust and confidence with the elderly person or disabled
43 adult.

44 (2) Any inter vivos transfer of money or property valued
45 in excess of \$10,000 at the time of the transfer, whether in a
46 single transaction or multiple transactions, by a person age 65
47 or older to a nonrelative whom the transferor knew for fewer
48 than 2 years before the first transfer and for which the
49 transferor did not receive the reasonably equivalent financial
50 value in goods or services creates a permissive presumption that
51 the transfer was the result of exploitation.

52 (a) This subsection applies regardless of whether the
53 transfer or transfers are denoted by the parties as a gift or
54 loan, except that it does not apply to a valid loan evidenced in
55 writing that includes definite repayment dates. However, if
56 repayment of any such loan is in default, in whole or in part,
57 for more than 65 days, the presumption of this subsection
58 applies.

59 (b) This subsection does not apply to:

- 60 1. Persons who are in the business of making loans.
61 2. Bona fide charitable donations to nonprofit
62 organizations that qualify for tax exempt status under the
63 Internal Revenue Code.

64 (c) In a criminal case to which this subsection applies,
65 if the trial is by jury, jurors shall be instructed that they
66 may, but are not required to, draw an inference of exploitation



Amendment No. 1

67 upon proof beyond a reasonable doubt of the facts listed in this
68 subsection. The

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T I T L E A M E N D M E N T

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Remove line 13 and insert:

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specifying when an unauthorized appropriation occurs;

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Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

*Adopted without objection
2/5/14*

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Passidomo offered the following:

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5 **Amendment (with title amendment)**

6 Between lines 67 and 68, insert:

7 Section 2. Subsections (6) and (7) of section 817.568,
8 Florida Statutes, are amended to read:

9 817.568 Criminal use of personal identification
10 information.—

11 (6) Any person who willfully and without authorization
12 fraudulently uses personal identification information concerning
13 an individual who is less than 18 years of age, or 60 years of
14 age or older, without first obtaining the consent of that
15 individual or of his or her legal guardian commits a felony of
16 the second degree, punishable as provided in s. 775.082, s.
17 775.083, or s. 775.084.



Amendment No. 2

18 (7) Any person who is in the relationship of parent or
19 legal guardian, or who otherwise exercises custodial authority
20 over an individual who is less than 18 years of age, or 60 years
21 of age or older, who willfully and fraudulently uses personal
22 identification information of that individual commits a felony
23 of the second degree, punishable as provided in s. 775.082, s.
24 775.083, or s. 775.084.

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T I T L E A M E N D M E N T

Between lines 5 and 6, insert:

amending s. 817.568, F.S.; expanding the application of
fraudulently using personal identification information of
specified victims without the consent of the individual or the
individual's legal guardian to include persons 60 years of age
or older;

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

2/5/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 515 : Public Assistance Fraud

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant			X		
Gayle Harrell			X		
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Appearances:

HB 515

Pitts, Brian (General Public) - Waive In Support

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: (727) 897-9291

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

2/5/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

PCB CRJS 14-01 : Juvenile Justice

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant	X				
Gayle Harrell			X		
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 12		Total Nays: 0			

PCB CRJS 14-01 Amendments

Amendment PCB CRJS 14-01 a1

Withdrawn

Appearances:

PCB CRJS 14-01

Walters, Wansley (State Employee) - Proponent
Secretary, Department of Juvenile Justice
2737 Centerview Dr.
Tallahassee FL 32399
Phone: 850-413-7313

PCB CRJS 14-01

Hurley, Lisa (Lobbyist) - Waive In Support
Florida Association of Counties
100 S Monroe St
Tallahassee FL 32301
Phone: (850)922-4300

PCB CRJS 14-01

Millar, Nick (Lobbyist) - Waive In Support
Director of Legislative Affairs, AMZ Kids
3302 Dartmere Drive
Tallahassee FL
Phone: 850-508-2971

Committee meeting was reported out: Wednesday, February 05, 2014 2:52:11PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

2/5/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

PCB CRJS 14-01 : Juvenile Justice (continued)

Appearances: (continued)

PCB CRJS 14-01

Myers, Cathy (Lobbyist) - Waive In Support

Executive Director, Florida Juvenile Justice Association

3333 W. Pensacola St.

Tallahassee FL 32304

Phone: 850-671-3442

PCB CRJS 14-01

Sexton, Samantha (General Public) - Waive In Support

Assoc. Dir. of Gov. Affairs, Pace Center for Girls

One West Adams St., #301

Jacksonville FL 32202

Phone: 904-383-9403

PCB CRJS 14-01

Mason, Rob (State Employee) - Information Only

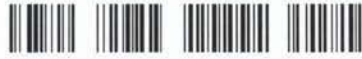
Juvenile Director, PDO 4th Cir.

407 Laura Street

Jacksonville FL 32202

Phone: 904-718-4606

Committee meeting was reported out: Wednesday, February 05, 2014 2:52:11PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

*Withdrawn
2/5/14*

1 Committee/Subcommittee hearing PCB: Criminal Justice
2 Subcommittee

3 Representative Pilon offered the following:

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Amendment (with title amendment)

Between lines 165 and 166, insert:

Section 1. Paragraph (b) of subsection (6) of section
893.13, Florida Statutes, is amended to read:

893.13 Prohibited acts; penalties.—
(6)

(b) 1. Except as provided in subparagraph 2., If the offense
is the possession of not more than 20 grams of cannabis, ~~as~~
~~defined in this chapter,~~ or 3 grams or less of a controlled
substance described in s. 893.03(1)(c)46.-50., 114.-142., 151.-
159., or 166.-169., the person commits a misdemeanor of the
first degree, punishable as provided in s. 775.082 or s.
775.083.



Amendment No. 1

18 2. If the offense is the possession of not more than 20
 19 grams of cannabis, and the person possessing the cannabis is
 20 less than 18 years of age, the person commits a misdemeanor of
 21 the second degree, punishable as provided in s. 775.082 or s.
 22 775.083. A person who violates this subparagraph a second or
 23 subsequent time commits a misdemeanor of the first degree.

24 3. For the purposes of this subsection, "cannabis" does not
 25 include the resin extracted from the plants of the genus
 26 Cannabis, or any compound manufacture, salt, derivative,
 27 mixture, or preparation of such resin, and a controlled
 28 substance described in s. 893.03(1)(c)46.-50., 114.-142., 151.-
 29 159., or 166.-169., does not include the substance in a powdered
 30 form.

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T I T L E A M E N D M E N T

Remove line 2 and insert:

An act relating to juvenile justice; amending s. 893.13, F.S.,
 providing that possession of specified controlled substances by
 a minor is a second degree misdemeanor; providing enhanced
 penalties for second or subsequent violations; amending ss.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

2/5/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

PCB CRJS 14-08 : Juvenile Sentencing

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant	X				
Gayle Harrell			X		
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 12		Total Nays: 0			

PCB CRJS 14-08 Amendments

Amendment PCB CRJS 14-08 a1

Withdrawn

Appearances:

PCB CRJS 14-08

Pitts, Brian (General Public) - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: (727) 897-9291

PCB CRJS 14-08

Chamizo, Jorge (Lobbyist) - Proponent

Florida Association of Criminal Defense Lawyers

PO Box 1528

Tallahassee FL 32302

Phone: (850)681-0024

Curry, Ellis (General Public) - Opponent

Jacksonville FL

Mitchell, Glenn (General Public) - Opponent

Compassionate Families

Jacksonville FL

Committee meeting was reported out: Wednesday, February 05, 2014 2:52:11PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

2/5/2014 9:00:00AM

Location: Sumner Hall (404 HOB)

PCB CRJS 14-08 : Juvenile Sentencing (continued)

Appearances: (continued)

PCB CRJS 14-08

Martinez, Carlos (State Employee) - Information Only

Florida Public Defenders Association

Miami FL

Phone: 33125

PCB CRJS 14-08

King, Brad (State Employee) - Information Only

State Attorney 5th Circuit

110 NW 1st Ave. Suite 5000

Ocala FL 34480

Phone: (352)671-5914

Committee meeting was reported out: Wednesday, February 05, 2014 2:52:11PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

*Withdrawn
2/5/14*

1 Committee/Subcommittee hearing PCB: Criminal Justice
2 Subcommittee

3 Representative Grant offered the following:

4
5 **Amendment (with title amendment)**

6 Between lines 257 and 258, insert:

7 Section 4. Paragraph (b) of subsection (6) of section
8 893.13, Florida Statutes, is amended to read:

9 893.13 Prohibited acts; penalties.—

10 (6)

11 (b)1. If the offense is the possession of not more than 20
 12 grams of cannabis, ~~as defined in this chapter,~~ or 3 grams or
 13 less of a controlled substance described in s. 893.03(1)(c)46.-
 14 50., 114.-142., 151.-159., or 166.-169., the person commits a
 15 misdemeanor of the first degree, punishable as provided in s.
 16 775.082 or s. 775.083. For the purposes of this subsection,
 17 "cannabis" does not include the resin extracted from the plants

PCB CRJS 14-08 a1

Published On: 2/4/2014 6:04:24 PM



Amendment No. 1

18 of the genus Cannabis, or any compound manufacture, salt,
 19 derivative, mixture, or preparation of such resin, and a
 20 controlled substance described in s. 893.03(1)(c)46.-50., 114.-
 21 142., 151.-159., or 166.-169., does not include the substance in
 22 a powdered form.

23 2. In addition to the penalty imposed pursuant to
 24 subparagraph 1., the court must order a person convicted of a
 25 violation of subparagraph 1. to complete at least 25 hours of
 26 community service if the offense was the possession of not more
 27 than 20 grams of cannabis, and the person possessing the
 28 cannabis was less than 18 years of age at the time of the
 29 offense.

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T I T L E A M E N D M E N T

Remove line 31 and insert:

to modify a juvenile offender's sentence; amending s. 893.13,
 F.S., requiring the court to order community service for minors
 who possess a certain amount of cannabis; amending ss.